



University of Colorado
Anschutz Medical Campus

Plastic & Reconstructive Surgery Division



February 28, 2022

The Hon. Judge Arthur J Schwab
Senior Judge District Court Western District of Pennsylvania

re: Daniel Muessig

Dear Judge Schwab,

I'm writing this letter urging for considered leniency in the sentencing of my friend Daniel Muessig, asking for the absolute shortest sentence allowable under the federal sentencing guidelines and that he be permitted to serve his sentence in a minimum facility that is closest to his home with treatment options. Dan has had no prior criminal offense, and for the past three years he has not conducted any criminal activity. Instead, throughout the COVID-19 pandemic he took personal risk to his own health to deliver kosher food to Jewish seniors within the Pittsburgh area. He has continued to do so even today.

I have known Dan for 10 years and can attest that he is a man of honor and faith with an incredible sensitivity and empathy for people from all walks of life. When I first met Dan, I was in the midst of going through the trauma of losing much of my vision due to glaucoma. During this time, there were few people who believed that I would finish my doctoral work as a molecular biologist, or that I would eventually become a professor, conducting research to cure the blind. I feel fortunate that I was introduced to Dan and often recount his emphatic support of my dreams and aspirations.

Over the years, I have directly witnessed Dan's desire to be a productive member of society and to serve as a role model for its future generations. Dan is a romantic traditionalist at heart with a very strong support system and family that loves him. Dan has an active role within the Jewish community which is an extension of his intrinsic desire to stand up for the rights of all historically persecuted people. This desire to help others took shape in his work as a criminal defense attorney, with a primary focus on helping the many individuals from traditional socio-economically disadvantaged backgrounds ensnared in the legal system.

Dan's removal from society by incarceration give me great sadness and represents a tremendous loss for society at large. He is undoubtedly intelligent, with great wit and humor that should be allowed to flourish outside of prison. In my view he is being punished for breaking laws that are no longer recognized by the vast majority as a criminal act. One could reasonably argue that his "criminality" was in service to individuals who could not readily access the medicinal properties of cannabis. Regardless, I am confident that you will treat my attestation seriously, and allow Dan to quickly return to society, so that he can move forward, including possibly actualizing his desire to raise children that might grow up to mirror the light of their father. Please do not hesitate to contact me if you require any further assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'An-Jey Su'.

An-Jey Andrew Su, PhD
Assistant ant Professor of Surgery

The Honorable Arthur J. Schwab, Senior District Judge
United States District Court Western District of Pennsylvania
Joseph F. Weis, Jr. United States Courthouse
700 Grant Street
Pittsburgh, PA 15219

February 27, 2022

Dear Judge Schwab,

I write to you on behalf of my friend, Daniel B. Muessig (hereinafter “Dan”), and respectfully request that this Honorable Court render the lowest possible sentence allowable under the law for reasons more fully explained herein.

In August 2009, I met Dan during a series of workshops before law school officially started. We were both in a workshop with other students the University of Pittsburgh identified as students who may need extra support because they were nontraditional, had been out of school for a while and/or becoming a lawyer was a second career. Looking back on it, I think we were classified as the least likely to succeed so it was a real treat for Dan and me to be selected together for On Campus Interviews, a coveted interview session for the top 10-15% of the class, our 2L year. Neither of us were at the top of the class, but we knew we were in law school to graduate, pass the bar, and help those society did not think deserved a chance. The interviews were in Philadelphia and I drove. We both interviewed with the Defenders Association of Philadelphia. Dan waited around for me to finish and I realized that I did not remember where I parked and I lost my debit card. He patiently walked all around Center City with me for what felt like an eternity in high heels, but was closer to one (1) hour, to help me retrace my steps. He made sure I had something to eat, paid for all the tolls, gave me money to get through the week and told me not to pay him back. And while this act of kindness may seem small, it is something that I have never forgotten because countless times when I was in need, he continued to show up for me.

When I was facing a disciplinary action, I felt was racially motivated and had the potential of leading to expulsion, Dan checked in on me frequently offering support, resources and helping me brainstorm ways to address what could have ruined a dream I always had, to become a lawyer.

We sat for different state bar exams and I was more excited that he passed the first time than he was. I do not think he had checked the list before my phone call, screaming and congratulating him. When I was not as fortunate a few weeks later and extremely disappointed, he frequently checked in on me until I sat again to encourage me and remind me of the goals we talked about so much during our time in law school.

In October 2017, I traveled to Pittsburgh and met some law school friends for an impromptu five (5) year reunion. Some of them were on their first divorce and unhappy with their life and careers. It was refreshing to meet up with Dan and his wife, Laura, to see that they were still just as bonded to each other and hear about his real estate plans, as he had decided to pivot away from law. However, in true Dan fashion he did not talk too much about himself, but wanted to know how I was doing. How working at Legal Aid was going. How my parents, siblings, and soon to be husband were.

You meet a lot of people in law school. Many are seasonal friends and others you never forget. Dan and I bonded over our love for community, family, food and music. Any friend who visited me while in Pittsburgh, had to meet Dan because he was and still remains one of the most fascinating people I know. He's brilliant and incredibly talented. He can talk to you or write about anything and hold your attention.

We lost touch sometime in 2019, and I heard about what he was quietly going through in the worst way possible, reading articles that attacked his character and poked fun at a very serious situation without regard to his taking full accountability and all the people who care about him, know him, and love him.

Like the Dan I know, he has been thinking about his wife and family, and what they have lost as a result of this situation and what they will lose should he be incarcerated. So, I am writing this letter because I am thinking about my friend Dan, and the impact he has had on my life. He has made several positive changes since 2019 through volunteering and becoming a business owner. He and his wife had just completed the adoption home study process days before his indictment. After spending eight (8) years advocating for children in foster care and reading several home studies, I know about the inspections and interviews completed; the character needed; and the effort and commitment required to open your home and heart to a child. I also know how incredibly difficult it is to process your dream of a family being snatched away.

Dan has so much more to contribute to his community. He has taken full responsibility for his actions and has not once wavered. He has been open, honest, and remorseful. All of these factors weigh heavy towards sentencing him with the least amount of time allowable under the law. I respectfully request, on his behalf and the behalf of the many people like me who care deeply about him, that you take all of this in consideration when you render his sentence.

Sincerely,



Sara E. Furlow, Esq.



Ben Muessig

February 28, 2022

To the Honorable Judge Schwab,

I am writing on behalf of my brother, Daniel Muessig. I am a journalist, currently serving as the Business and Technology Editor at The Los Angeles Times, where I have worked since 2016. I send this letter to request that you consider a minimum sentence for my brother.

Daniel has made mistakes in his life, but he has also shown himself to be a peaceful man who is dedicated to his family and those he loves. Daniel and I grew up in the Squirrel Hill neighborhood of Pittsburgh and attended Falk Laboratory School and Taylor Allderdice High School. Throughout childhood and into adulthood, he has always shown himself to be non-violent, generous and supportive. Daniel helps family members, friends and neighbors when they are in need. When the COVID-19 crisis emerged, before vaccines were available, he delivered food to neighbors who were at greater risk of severe illness. He has been a mentor to younger cousins, a helper to older relatives, and a bridge between the generations of our family, who are united in supporting him through this moment. He is loved by my children, ages 9 and 7, who savor the time they spend with their uncle. Family is central to Daniel's life, and we will be there to help him emerge on a better path as he has helped so many of us.

Please consider a minimum sentence for my brother. He has shown a capacity to help others. The sooner his debt to society is paid, the sooner he can be back caring his friends, family and community again.

Respectfully,

Ben Muessig

To The Honorable Arthur J. Schwab,

Your Honor, I am writing on behalf of my long-time friend, Daniel B. Muessig, to pleadingly request that, upon his sentencing, he may receive as low a sentence as possible. I will not go into the details of that which Daniel is convicted for, as that matter is now behind us. What I do wish to address in this letter, however, are some points and thoughts on Daniel's character that may have not yet been brought to light. My hope is that, in combination with additional extraneous factors, leniency can be given so that he may return to serving society and being with his family as soon as possible.

I have known Daniel since we both went to high school together at Taylor Allderdice High School in Pittsburgh, PA. We shared a love of music and academics. Daniel has always been an intelligent individual and we shared some of the same levels of honors courses at Taylor Allderdice. His knowledge of history, culture, and the humanities has been ever-impressive. Additionally, I have always been in awe of Daniel's mastery of the English language as evidenced by his skillful abilities in literary composition, poetry, and musical writing. He has an incredible manner of conveying ideas with words, creating complex and intricate layers of meaning and substance with his artistic expressions. Through these connections and mutual attraction to natures of kindness and humor, we quickly became friends and have remained so for the past 23+ years. Going to different colleges after high school and resettling in different areas (I presently live in San Francisco now as a former software engineer turned premedical student), we have been geographically separated for some time, but we have retained our connection through online communication over all these years.

I was saddened to hear of Daniel's legal trouble in 2019, but was not surprised to see how he took responsibility for his actions and sought to become a model citizen thereafter. Since then, Daniel, with the help of his wife, Laura, began to turn his life around. In an effort to provide a well-needed service for others and a sustainable income for his family, he and Laura ventured into the real estate business, providing housing for dozens of working-class families and employment for many others.

When his cousin returned home from a 7-year prison stay, Daniel was quick to ensure that he did everything he could to prevent his cousin from becoming a repeat offender. He was able to secure him with a free apartment, a well-paying job, and a vehicle to get him properly on his feet. It is selflessness like this that I know Daniel for and that absolutely informs me that, while he must serve the time that is allotted for his crime, he is an unfathomably larger asset to society outside of prison than he will be inside.

In talking with him in the past about his plans, dreams, and goals, it was clear that he and Laura wanted to do their best to make amends with the past and build productively for the future. They began to look into family planning and, upon having difficulty conceiving, have been involved in the final stages of looking into the adoption process before the news that his case was moving forward. The conviction likely makes it impossible to adopt in the future, which was

profoundly disappointing to them as starting a family had been an integral part of their wishes to properly integrate into society and put the past behind them. However, even this devastating news was taken with a grim grace and acceptance as a lesson in how one's past actions have far-reaching consequences. I have no doubt that Daniel and Laura will find some manner with which to share the love they so desperately wanted to bestow upon children unto those with whom they will be able to share it, whether those individuals be young or elder.

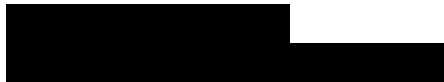
For example, during the COVID-19 pandemic, Daniel recognized a community need and began delivering food to senior citizens in his neighborhood of Squirrel Hill. He knew that there was a very real and potentiality for personal harm to himself, but he knew that the risk of those in need not receiving the sustenance they require to survive far outweighed the possibility of any harm to himself. This is the Daniel I know and have come to be proud to call my friend over the last 2 decades.

The truth of the matter is that Daniel has always been a caring, kind, and compassionate individual. He has undoubtedly made mistakes in his past and he is accepting of the societal necessity that he atone for his crimes. The only request that is being made on his behalf is that his character, remorse, and post-conviction actions be taken into consideration when his sentence is given.

I deeply plead for him to receive the lowest sentence possible and have no doubt that he would utilize that opportunity to the fullest of his extent to enrich the lives of everyone in his reachable sphere of influence. I am available to speak further, if needed, so please do not hesitate to reach out (contact info below). I thank you for your time in reading this and sincerely hope there is a way in which justice can be served while simultaneously allowing Daniel to continue to maximally contribute to society over the course of his lifetime. Thank you again and do take care.

Sincerely,

Marvin N. Carlisle

A black rectangular redaction box covering the signature area.

To: The Honorable Arthur J. Schwab
Senior District Judge
Western District of Pennsylvania

Date: February 25, 2022

Your Honor,


I am writing on behalf of Mr. Daniel Muessig, who is set to appear in your court soon. I first met Dan approximately 20 years ago through his brother Ben, a close friend and classmate of mine at Taylor Allderdice High School. As a native of Pittsburgh's east end with shared many experiences, I feel I can offer an informed character reference for Dan now.

If I can impart one thing about Dan, let it be this: he says what he means and means what he says. I have always known him to be not just honest but, if anything, unusually preoccupied with the agreement between thought, word, and deed. I distinctly recall Dan speaking passionately at one point about what he referred to as "manifesting." While I did not quite grasp the meaning at the time, I have since come to understand this ideal and appreciate his dedication to it. Dan's prior contributions to music, for example, include self-released albums and performances around the world on self-booked tours, undertaken not for broader fame but rather a deep love of the art form. I am a musician myself, with many other musicians among my friends and acquaintances, yet Dan stands alone among them in having demonstrated such purity of intent and such commitment to see it through.

I am aware that Dan has taken responsibility for his actions in the legal sense by pleading guilty in the matter before your court. I also understand that he instituted some significant life changes, well before being charged, as part of an effort to address the matter in the personal sense. All of this is fully consistent with the Dan that I know. In it I see the same devotion to principle, the same continuous struggle to align practice ever more closely with theory. Despite his preternatural tendency to sarcasm, Dan has never given me any reason to doubt his sincerity when it really matters. Quite the contrary, in fact. I firmly believe that Dan is dedicated to creating positive changes that will ultimately eclipse what negative impact his actions have had.

In light of all the above, and as one of many community and family members invested in minimizing the damage his absence will cause, I would like to respectfully request that Dan be given the lowest sentence allowable by law. I am available at the contact information below to expand on this testimony if needed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory DeCarolis', with a stylized, cursive script.

Gregory DeCarolis

Sarah Fitzgerald

March 2, 2022

Re: Danial Muessig

To The Honorable Judge,

I am writing on behalf of Daniel Muessig. Dan and I have been good friends for more than a decade. Over the course of our friendship Dan has shown himself to be one of the most supportive, responsible, and positive individuals in my life and within our community. Dan's counsel and advice helped get me through an extremely difficult time in my life.

Several years ago now, I found myself in a devastating situation after forming a business partnership with friends. I built my career, and reputation, in the local service industry and had it taken away because of blind trust and a bad agreement, Dan was one of the very few, if not only, people that stood by me and supported me as I lost everything that I worked for. Rarely did a day pass without a phone call check in and pep talk. When I decided to empower myself and go to college at 37 having only a GED, Dan was front and center cheering me on. Dan didn't just encourage me, he served as my advisor through both the financial and academic process. I graduated from Temple University with honors, received an award for leadership and public service from the College of Liberal Arts and have most recently been accepted into two law schools. None of this would have been possible without the ongoing support and encouragement of Daniel Muessig, my dear friend that has believed in me in a way that no other person ever has.

It is my sincere intention to convey the impact that Daniel Muessig has had on my life. Daniel, in my opinion, is truly an incredible person, I would not be who I am or where I am without his friendship.

Sincerely,

Sarah Fitzgerald

To whom it may concern,

I have been close friends with Daniel Muessig for over a decade. He has been a brotherly figure to me and was instrumental in terms of supporting me in my career.

Our passions for criminal justice reform were complementary, and he regularly provided me with the support I needed when attempting to navigate the system. There were a number of moments when I wanted to walk away from this field, but Dan was always able to remind me that social work was my purpose in life, and I will never forget that.

He has seen me at my worst, taking care of me emotionally while I watched both of my parents die. There were times when I felt like I couldn't go on and regularly thought about suicide as an option. Dan was a huge support in making sure I was mentally stable. If it wasn't for Dan I truly believe I would not be alive today.

This case has been a significant stressor in my life. I had to watch two of my closest friends endure significant trauma within weeks of losing my mother to cancer. I have also lost two other close friends connected with the case, one to suicide and one to a drug overdose. This has broken the hearts of a number of families and it has made a significant impact on Dan. The fear of the courts imposing a strict sanction for a non-violent offense will only cause more loss for the people in Dan's life. There is also concern regarding Dan's extensive medical history and how it will be managed after he is sentenced. The COVID-19 virus in prison has been a concern for two years. If Dan were to get COVID, it could put his life at risk.

I am not only writing this letter as a friend but as a professional in the field of social work. The majority of my career has been focused on children and families, the impact of institutionalization on the family system, restorative justice, and navigating trauma. I have testified as an expert witness on Act 33 decertification cases and gave recommendations for sentencing as well as appropriate out-of-home placements that would provide the client a chance to be rehabilitated. I feel strongly about these issues because I am dedicated to reforming the criminal justice system and I feel that people can make appropriate changes in life if given the opportunity. Dan has accepted responsibility for his role, did not put the blame on others, and has been motivated to begin the process of rehabilitation.

Your honor, as someone who has worked in the courts, I know that you must follow the sentencing guidelines, whether on a state or federal level. I am asking that you give Dan the minimum sentence allowable. I truly believe that he will not engage in any future conduct after his release. He has already started to make plans on how he can assist other people who have been impacted by the criminal justice system. I believe that his motivation to change can inspire people and that he is more valuable to society than others realize. Giving him a long sentence for a nonviolent crime impedes this goal. This is why I am asking you to consider giving Dan a minimum sentence of 5 years.

Thank you for taking the time to read my letter,
Maria Guido MSW

CONNIE MABIN

Feb. 27, 2022

Dear Judge:

Daniel Muessig does not deserve this. He is an outstanding human being who made a mistake, one he admits, one that is drawing an unjust consequence given the way the world has changed. As you consider sentencing, my family and I ask the court for justice, and especially, for mercy.

Mr. Muessig showed my family humanity during a time in our lives when most people turned away. He served as an attorney – smart, capable, moral and hard-working – for my children's father. Dan relentlessly pursued justice when it would have been easier to accept the falsehoods others had. He helped reunite my babies with a father who otherwise would have been lost forever to the system. He helped a father change his life and contribute positively to society instead of wither away behind bars.

Our story is just one of many of the lives Mr. Muessig changed for the better. We're all human. We all err. We all learn. Please, do whatever you can to provide the kind of justice and opportunity for Dan that he helped my family win. It's the right thing to do.

Sincerely,

CONNIE MABIN

From: [Dos Noun](#)
To: [Lisa Augustine](#)
Subject: Fwd: dan
Date: Sunday, March 6, 2022 10:14:15 AM

[REDACTED] >
Date: Sun, Mar 6, 2022, 10:12 AM
[REDACTED]

dear judge,

My name is Joseph Mirt. I am a 38 year old disabled combat veteran. After serving my tour in north Iraq i returned home a different person. At the time the VA was prescribing me a handful of anti depressants which left me numb to the point of becoming suicidal . I have to thank God for the support system I had in place that helped me through those times or I would have ended up a statistic. 22 veterans a day kill themselves on average in this country. Much of that figure has to do with the over prescribing of antidepressants/antipsychotics whose side effect lists are long and include suicidal thoughts.

We know that a plant exists that can alleviate every symptom of PTSD with an incredibly manageable side effect profile. Yet, it was denied to us for so long.

Is this what we fought for? Is this Freedom ? When people are criminalized for giving access to a plant to medicate and heal in less harmful ways? I understand the proper channels weren't utilized, but the fact there are "proper channels" in regards to medical cannabis distribution, should glaringly show the hypocrisy involved in the mandatory minimum sentence.

it hurts my heart thinking i risked my life fighting for freedom so that in the year 2022, while 37 states have medical cannabis as an option (including PA) , a dear friend and someone i love like a brother's life is about to be destroyed because of a mindset about a plant that i literally depend on to survive in this world .

I pray you have a sense of morality that supersedes the need to follow minimum guidelines. The only harm that Dan caused was in the balance sheet of "legal and licensed" distributors. To reiterate, the fact that there are "Legal and Licensed" distributors should tell you everything you need to know about the absurdity of this case and cases like it.

If some people are making billions of dollars Legally, NO ONE should be spending years in a cage for doing essentially the same thing.

I, and a majority of people of this country, resoundingly call for a full legalization of cannabis, and the expungement of all cannabis related charges. This level of imbalance can not be sustained.

Thank you for your time and consideration,

Sincerely,
Joseph Mirt, SPC PAARNG , Disabled.

Your Honor,

I am writing this email to respectfully request your consideration in sentencing my friend Daniel Muessig to the lowest possible sentence allowable by law.

I have known Daniel for more than 15 years and have always known him to be a sincere individual with an extraordinary integrity. I first met Daniel when he visited my home country, Denmark, to showcase his considerable creative talent. When a(?) realized that he is a fundamentally good person that stays true to his word, we immediately became friends. Since then we have been close and I feel that I am in a good position to attest to his character.

I hold a masters degree in public administration, but I have chosen to work full time as a caretaker for the criminally insane – a sadly forgotten part of society. I spend all my free time volunteering as the chairman of the non-profit organization Kaninværnet (The Danish Society for Protection of Rabbits). Between my work with (real) criminals and my decades of volunteering efforts, I have seen both the best and the worst of what society has to offer. Knowing what I know about human character and behavior, I am proud to call Daniel my friend. I have never seen(experienced) him be dishonest or go back on his word. I have however seen him speak up for the less fortunate, and spend a lot time volunteering in an honest effort to better his community. Despite his crime, Daniel is undoubtedly a person that contributes to society rather than takes from it.

He has accepted responsibility and the consequences of his actions and has stated his strong intent to atone for his offenses and I am absolutely confident that he will honor his word. It is my honest and considered opinion, that both justice and society are best served, by Daniel being given the grace to serve the minimum sentence.

I appreciate your role as Senior District Judge in deciding the appropriate sentence. I ask sincerely that you please consider the above as strong reasons to administer the lowest possible sentence allowable by law in his case. Thank you for your consideration and for taking the time to read this message.

Sincerely,

Rasmus Svoldgaard Nielsen

From: [Dos Noun](#)
To: [Lisa Augustine](#)
Date: Saturday, February 26, 2022 5:25:16 PM

Your honor

The Honorable Arthur J. Schwab, Senior District Judge, Western District of Pennsylvania

Re Daniel B. Muessig

Your Honor,

I am writing to you today for the purpose of asking for leniency in sentencing of Mr. Daniel B. Muessig. Daniel has made mistakes in choices he has made in his life but he acknowledges those mistakes and has changed his life from the day this whole process started 3+ years ago. His crimes involved no violence and he isn't a threat to anyone.

Daniel and I became friends thru our appreciation of the arts. He is a talented poet as well as writer. He overcame life threatening illness to then run marathons. Over the last 3 years , he delivered food to needy people and has worked hard to right his life and this was before he was charged.

I am writing this because I am a friend of Mr. Muessig and I believe I know who he really is. I also know he is no threat to anyone or society in general. I am a small business owner , I also have coached youth sports in my community for 20+years. I run an affordable basketball program out of a gym in Milvale. I spend the majority of my time doing community service.

I hope you can consider what Daniel has done since this all began and who he is now when determining a fair sentence.

Thank you for your time and consideration

Sincerely

Harold G Shapera